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JL-1645

Practitioner's Docket No. 701826-50008CIP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Batist et al.

Group: 1645

Serial No.: 09/739,223

Examiner: Not Yet Assigned

Filed: December 19, 2000

FOR: HEX II TUMOR-SPECIFIC PROMOTOR AND USES THEREOF

RECEIVED

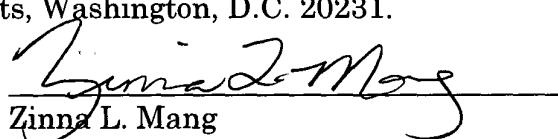
APR 05 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: March 27, 2001
Zinna L. Mang

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §§1.56 and 1.97, Applicants herewith submit the publications and/or patents shown on the attached form PTO-1449, for consideration by the Examiner in connection with the examination of the above-identified patent application.

REMARKS

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed:

X (1) within three (3) months of the Filing Date or before the mailing date of the First Office Action on the merits; or

- (2) within three months of the mailing date of the PCT International Search Report; or
- (3) after the period defined in (1) but before the mailing date of a **Final Rejection or Notice of Allowance**, and the requisite Certification or fee under Rule 1.17(p), namely \$240.00, is included herein; or
- (4) after the mailing date of a **Final Rejection or Notice of Allowance** but before the payment of the **Issue Fee**, and the requisite Certification, petition, and petition fee are included herein.

It is respectfully requested that each of the documents shown on the attached form(s) PTO-1449 be made of record in this application. Copies of these documents (CHECK ONE):

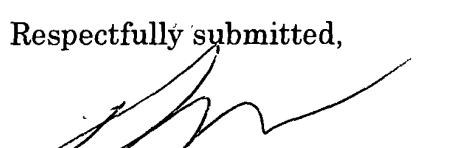
- are enclosed herewith;
- X have been cited in the parent application (U.S.S.N.: 09/276,005; filed March 25, 1999), and are thus not being resubmitted herein.

Early examination and allowance of the present application are respectfully solicited.

FEE AUTHORIZATION

Should any fees associated with the submission be required, the Commissioner is authorized to charge the missing fee to our Deposit Account No. 50-0850. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,



David S. Resnick (34,235)
NIXON PEABODY LLP
101 Federal Street
Boston, MA 02110
(617) 345-6057

Date: March 27, 2001



Petitioner's Docket No. 701826-50008CIP

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CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a) and 1.10)

I hereby certify that this correspondence:

1. Information Disclosure Statement (2 pp.);
2. PTO Form 1449 (2 p.);
3. Return Receipt Postcard

is on the date shown below being:

deposited with the United States Postal Service sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington D.C. 20231.

Date: March 27, 2001

Signature

Zinna L. Mang
(type or print name of person certifying)